

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

ATHENEX, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-90295 (MI)

(Jointly Administered)

Re: Docket No. 667

**RESPONSE TO ANDERSONBRECON INC. D/B/A PCI PHARMA SERVICES’
REQUEST FOR PAYMENT OF ADMINISTRATIVE EXPENSE**
(Related Docket No. 667)

The Post-Effective-Date Debtors (the “Debtors”) in the above-captioned cases state the following in support of this response (this “Response”) to AndersonBrecon Inc. d/b/a PCI Pharma Services’ (“PCI”) *Request for Payment of Administrative Expense* (the “Administrative Claim”) [Docket No. 667]:

General Background

1. On May 14, 2023, the Debtors each commenced with this Court a voluntary case under chapter 11 of the Bankruptcy Code.

2. On September 12, 2023, the Court entered the *Order Granting Final Approval of Disclosure Statement and Confirming Plan of Liquidation of Athenex, Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code* [Docket No. 595] (the “Confirmation Order”). The Confirmation Order confirmed the *Combined Disclosure Statement and Plan of Liquidation of Athenex, Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code* [Docket No. 501] (as modified, amended, or supplemented from time to time, the “Plan”).

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Post-Effective Date Debtors’ claims and noticing agent at <https://dm.epiq11.com/athenex>.

3. On September 22, 2023 (the “Effective Date”), the Debtors filed the *Notice of (I) Confirmation and Occurrence of Effective Date of Debtors’ Plan of Liquidation and (II) Deadlines for Filing Certain Claims and Requests for Payment* [Docket No. 621] (the “Notice of Effective Date”), setting forth that, inter alia, the Effective Date of the Plan occurred on September 22, 2023.

4. Pursuant to the Notice of Effective Date, the deadline to file administrative expense claims under the Plan was October 23, 2023 (the “Administrative Expense Bar Date”).

The Administrative Claim

5. On October 23, 2023, PCI timely filed the Administrative Claim in accordance with the Administrative Expense Bar Date seeking an allowed administrative claim in the amount of \$5,405.00.

6. The Debtors satisfied the Administrative Claim by issuing a payment via ACH to PCI Pharma Services on November 2, 2023, in the amount of \$5,405.00. Evidence of satisfaction is appended hereto as **Exhibit 1**.

Response

7. Based upon the satisfaction of the Administrative Claim, the Debtors request that PCI’s Administrative Claim be denied, as set forth in the proposed order attached hereto, absent the prior withdrawal of the Administrative Claim. In addition, the Debtors request the Court grant such other and further relief as may be just and proper under the circumstances.

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Dated: November 13, 2023

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Maxim B. Litvak

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Counsel to the Post-Effective-Date Debtors

CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2023, a true and correct copy of the above and foregoing has been served on all parties that are registered to receive electronic transmission through this Court's CM/ECF filing system in these cases.

/s/ Maxim B. Litvak

Maxim B. Litvak

EXHIBIT 1

Payment Details

KeyBank 

ATHENEX INC - 0733

PAYMENT ID: **AUDIT INFORMATION**

ACH Company ATHENEX663
 ACH Company ID 0007
 From Account ATHENEX R&D LLC
 From Account ID 0663
 Payment Type Corporate/Vendor Payments
 Same Day No
 Value Date 11/03/2023
 Batch Status Entered
 Entry Method Freeform
 Batch Description CORP PAY

ENTERED **Timestamp** 11/02/2023 07:58:22 AM **User ID** **Company** 0733

Beneficiary Name	Bene ID	Credit/(Debit)	ABA	Acct No.	Type	Status	Pmnt ID	Trace ID
PCI Pharma Services		5,405.00	021000021	2763	Checking	Entered		
Addenda:	974 RI							

Batch Totals **5,405.00** **Credits - 1** **Prenotes - 0**
0.00 **(Debits) - 0**

Continued

ATHENEX INC - 0733

REPORT TOTALS

ACH		Total Debit Amount	Items	Total Credit Amount	Items	Total Batches
ACH	(USD to USD)			5,405.00 USD	1	1